

EXHIBIT E

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 - - - - -x

5 TUFAMERICA, INC.,
6 Plaintiff,

12cv3529 (AJN)

7 -against-

8 MICHAEL DIAMOND, ADAM HOROVITZ and
9 ADAM YAUCH, P/K/A BEASTIE BOYS,
10 UNIVERSAL MUSIC PUBLISHING, INC.,
11 UNIVERSAL MUSIC PUBLISHING GROUP,
12 BROOKLYN DUST MUSIC and CAPITAL
13 RECORDS, LLC,

14 Defendants.
15
16 - - - - -x

17
18 30 Rockefeller Plaza
19 New York, New York
20 May 20, 2014
21 10:27 a.m.

22 VIDEOTAPE DEPOSITION of AARON S.
23 FUCHS, the Witness in above-entitled
24 action, held at above time and place,
25 taken before Francine Sky, a Certified
Shorthand Reporter and Notary Public of
the State of New York, pursuant to the
Federal Rules of Civil Procedure, and
stipulations between Counsel.

<p style="text-align: right;">Page 2</p> <p>1</p> <p>2 APPEARANCES:</p> <p>3</p> <p>4 THE LAW OFFICES OF KELLY D. TALCOTT</p> <p>5 Attorneys for Plaintiff</p> <p>6 34 Grove Street</p> <p>7 P.O. Box 43</p> <p>8 Sea Cliff, New York 11579</p> <p>9 BY: KELLY D. TALCOTT, ESQ.</p> <p>10</p> <p>11</p> <p>12</p> <p>13 SHEPPARD MULLIN RICHTER & HAMPTON, LLP</p> <p>14 Attorneys for Defendants</p> <p>15 Michael Diamond, Adam</p> <p>16 Horovitz, Adam Yauch, p/k/a</p> <p>17 Beastie Boys</p> <p>18 30 Rockefeller Plaza</p> <p>19 New York, New York 10112</p> <p>20 BY: THEODORE C. MAX, ESQ.</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1</p> <p>2 IT IS HEREBY STIPULATED AND</p> <p>3 AGREED, by and among counsel for</p> <p>4 the respective parties hereto, that</p> <p>5 the filing, sealing and</p> <p>6 certification of the within</p> <p>7 deposition shall be and the same</p> <p>8 are hereby waived.</p> <p>9 IT IS FURTHER STIPULATED AND</p> <p>10 AGREED that all objections, except</p> <p>11 as to form of the question, shall</p> <p>12 be reserved to the time of the</p> <p>13 trial.</p> <p>14 IT IS FURTHER STIPULATED AND</p> <p>15 AGREED that the within deposition</p> <p>16 may be signed before any Notary</p> <p>17 Public, with the same force and</p> <p>18 effect as if signed and sworn to</p> <p>19 before the Court.</p> <p>20</p> <p>21</p> <p>22 ~ oOo ~</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 3</p> <p>1</p> <p>2 A P P E A R A N C E S: (Continued)</p> <p>3</p> <p>4 JENNER & BLOCK, LLP</p> <p>5 Attorneys for Defendants</p> <p>6 UMG PolyGram International</p> <p>7 Publishing, Inc. and Capitol</p> <p>8 Records, LLC</p> <p>9 919 Third Avenue</p> <p>10 New York, New York 10022</p> <p>11 BY: NATHANIEL H. BENFORADO, ESQ.</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17 Also Present:</p> <p>18</p> <p>19 GEORGE LIBBARES, Videographer</p> <p>20 Veritext New York</p> <p>21 * * *</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 A. Fuchs</p> <p>2 THE VIDEOGRAPHER: Stand by, 10:27AM</p> <p>3 please. We're now recording and on 10:27AM</p> <p>4 the record. 10:27AM</p> <p>5 Please note that the 10:27AM</p> <p>6 microphones are sensitive and may 10:27AM</p> <p>7 pick up whispering and private 10:27AM</p> <p>8 conversations. Please turn off all 10:27AM</p> <p>9 cell phones or place them away from 10:27AM</p> <p>10 the microphones as they can 10:27AM</p> <p>11 interfere with the deposition 10:27AM</p> <p>12 audio. Recording will continue 10:27AM</p> <p>13 until all parties agree to go off 10:27AM</p> <p>14 the record. 10:27AM</p> <p>15 My name is George Libbares, 10:27AM</p> <p>16 representing Veritext New York. 10:28AM</p> <p>17 The date today is May 20, 2014 and 10:28AM</p> <p>18 the time is 10:29 a.m. 10:28AM</p> <p>19 This deposition is being held 10:28AM</p> <p>20 at Sheppard Mullin Richter & 10:28AM</p> <p>21 Hampton, LLP, located at 30 10:28AM</p> <p>22 Rockefeller Plaza, New York, New 10:28AM</p> <p>23 York, and is being taken by counsel 10:28AM</p> <p>24 for the Defendants. 10:28AM</p> <p>25 The caption of this case is 10:28AM</p>

Page 18	Page 20
<p>1 A. Fuchs</p> <p>2 with regards to Trouble Funk? 10:42AM</p> <p>3 A. Yes. 10:42AM</p> <p>4 Q. For how long have you 10:42AM</p> <p>5 contracted with digital platforms 10:42AM</p> <p>6 regarding Trouble Funk? 10:42AM</p> <p>7 A. Same period. The five years 10:42AM</p> <p>8 maybe a little bit, six, seven. I'm 10:42AM</p> <p>9 not sure. 10:42AM</p> <p>10 Q. I believe you said that in 10:42AM</p> <p>11 terms of earning income for artists 10:42AM</p> <p>12 that there are record sales, 10:42AM</p> <p>13 third-party licenses and litigating 10:42AM</p> <p>14 infringements of copyrights; do you 10:42AM</p> <p>15 recall that testimony? 10:42AM</p> <p>16 A. Yes. 10:42AM</p> <p>17 Q. Can you tell me with regard 10:42AM</p> <p>18 to the business of TufAmerica, what 10:42AM</p> <p>19 percentage of the business in the 10:42AM</p> <p>20 aggregate involves record sales? 10:42AM</p> <p>21 A. I don't know. 10:42AM</p> <p>22 Q. Can you tell me what 10:42AM</p> <p>23 percentage of the business involves 10:42AM</p> <p>24 third-party licenses? 10:42AM</p> <p>25 A. No. No. It's liquid. 10:42AM</p>	<p>1 A. Fuchs</p> <p>2 third-party licenses? 10:43AM</p> <p>3 A. I can't. 10:43AM</p> <p>4 Q. Can you tell me what 10:43AM</p> <p>5 percentage of the business that 10:43AM</p> <p>6 TufAmerica has done for Trouble Funk is 10:43AM</p> <p>7 litigating infringements of copyright? 10:44AM</p> <p>8 A. I'm sorry, I can't. 10:44AM</p> <p>9 Q. Can you tell me which is the 10:44AM</p> <p>10 largest in terms of percentages of the 10:44AM</p> <p>11 three? 10:44AM</p> <p>12 A. I can't. 10:44AM</p> <p>13 Q. Can you rank them highest to 10:44AM</p> <p>14 lowest? 10:44AM</p> <p>15 MR. TALCOTT: Objection. 10:44AM</p> <p>16 A. I can't. 10:44AM</p> <p>17 Q. Is there someone at 10:44AM</p> <p>18 TufAmerica who would have that 10:44AM</p> <p>19 information? 10:44AM</p> <p>20 A. Yeah. 10:44AM</p> <p>21 Q. Who is that? 10:44AM</p> <p>22 A. Our bookkeeper. 10:44AM</p> <p>23 Q. What is the name of the 10:44AM</p> <p>24 bookkeeper? 10:44AM</p> <p>25 A. I can't remember her last 10:44AM</p>
Page 19	Page 21
<p>1 A. Fuchs</p> <p>2 Q. And can you tell me what 10:42AM</p> <p>3 percentage of the business of 10:42AM</p> <p>4 TufAmerica involves litigating 10:43AM</p> <p>5 infringements of copyright? 10:43AM</p> <p>6 A. I can't. I'm sorry. 10:43AM</p> <p>7 Q. Can you tell me which of the 10:43AM</p> <p>8 three is the largest percentage? 10:43AM</p> <p>9 A. Only in terms of physical 10:43AM</p> <p>10 space. Selling records is the largest. 10:43AM</p> <p>11 Q. I wasn't asking about 10:43AM</p> <p>12 physical space. I was talking about 10:43AM</p> <p>13 dollars. 10:43AM</p> <p>14 A. I know. That's the best I 10:43AM</p> <p>15 can do. 10:43AM</p> <p>16 Q. With regards to Trouble Funk, 10:43AM</p> <p>17 can you tell me what percentage of the 10:43AM</p> <p>18 business that TufAmerica has done with 10:43AM</p> <p>19 regards to Trouble Funk? 10:43AM</p> <p>20 Can you tell me what 10:43AM</p> <p>21 percentage is record sales? 10:43AM</p> <p>22 A. No. 10:43AM</p> <p>23 Q. Can you tell me what 10:43AM</p> <p>24 percentage of the business that 10:43AM</p> <p>25 TufAmerica has done for Trouble Funk is 10:43AM</p>	<p>1 A. Fuchs</p> <p>2 name. Ali. 10:44AM</p> <p>3 Q. How do you spell that? 10:44AM</p> <p>4 A. A-L-I. 10:44AM</p> <p>5 Q. Can you make an estimate as 10:44AM</p> <p>6 to which of the three would be the 10:44AM</p> <p>7 largest? 10:44AM</p> <p>8 A. No. You know the record 10:44AM</p> <p>9 business is, you know, ever fluctuating 10:45AM</p> <p>10 and the way you make money fluctuates. 10:45AM</p> <p>11 For example, in the last year 10:45AM</p> <p>12 or so the sale of vinyl has become 10:45AM</p> <p>13 shockingly more popular. So it's very 10:45AM</p> <p>14 hard to ascertain. You just have to, 10:45AM</p> <p>15 you know keep all your jacks spinning 10:45AM</p> <p>16 and you just got to take care of every 10:45AM</p> <p>17 facet of the business. 10:45AM</p> <p>18 Q. For how long have you been 10:45AM</p> <p>19 the president of TufAmerica? 10:45AM</p> <p>20 A. Since its inception, sometime 10:46AM</p> <p>21 in the late '80s. 10:46AM</p> <p>22 Q. And prior to that what was 10:46AM</p> <p>23 your employment? 10:46AM</p> <p>24 A. I was president of an earlier 10:46AM</p> <p>25 corporate incarnation or an earlier 10:46AM</p>

<p style="text-align: right;">Page 22</p> <p>1 A. Fuchs</p> <p>2 corporation called Tuff & Rumble 10:46AM</p> <p>3 Management which was also the parent 10:46AM</p> <p>4 company of Tuff City Records. 10:46AM</p> <p>5 Q. What is the current status of 10:46AM</p> <p>6 Tuff & Rumble Management? 10:46AM</p> <p>7 A. I'm pretty sure it was 10:46AM</p> <p>8 dissolved. 10:46AM</p> <p>9 Q. Do you know when it was 10:46AM</p> <p>10 dissolved? 10:46AM</p> <p>11 A. No. 10:46AM</p> <p>12 Q. When was it formed? 10:46AM</p> <p>13 A. Around '82/83. 10:46AM</p> <p>14 Q. Did you form it in or around 10:47AM</p> <p>15 1982 or 1983? 10:47AM</p> <p>16 A. Yes. 10:47AM</p> <p>17 Q. Did you form it with anyone 10:47AM</p> <p>18 else? 10:47AM</p> <p>19 A. No. 10:47AM</p> <p>20 Q. Why was Tuff & Rumble 10:47AM</p> <p>21 Management dissolved? 10:47AM</p> <p>22 A. That was an accountant's 10:47AM</p> <p>23 decision I think. I'm not sure. 10:47AM</p> <p>24 Q. Did you make the decision 10:47AM</p> <p>25 ultimately? 10:47AM</p>	<p style="text-align: right;">Page 24</p> <p>1 A. Fuchs</p> <p>2 You can be either hit driven or catalog 10:49AM</p> <p>3 driven. 10:49AM</p> <p>4 We are catalog driven. It 10:49AM</p> <p>5 hews to a tradition that began with the 10:49AM</p> <p>6 publishing industry. So that you make 10:49AM</p> <p>7 money more from administration, you 10:49AM</p> <p>8 know, what they call slow incremental, 10:49AM</p> <p>9 but income that accretes in an ongoing 10:49AM</p> <p>10 way. 10:49AM</p> <p>11 Q. When you say a music catalog, 10:49AM</p> <p>12 can you tell me what you mean by a 10:49AM</p> <p>13 music catalog. 10:49AM</p> <p>14 A. Yeah. A record company that 10:49AM</p> <p>15 had an existence and ceased to exist. 10:49AM</p> <p>16 Most of them are inactive. 10:50AM</p> <p>17 Q. And so when you were talking 10:50AM</p> <p>18 about the 50 or so artists, most of 10:50AM</p> <p>19 those record companies or artists are 10:50AM</p> <p>20 inactive, is that what you are saying? 10:50AM</p> <p>21 A. Yeah. 10:50AM</p> <p>22 Q. Can you give me an estimate 10:50AM</p> <p>23 in terms of out of the 50, how many are 10:50AM</p> <p>24 active? 10:50AM</p> <p>25 A. Three to five. 10:50AM</p>
<p style="text-align: right;">Page 23</p> <p>1 A. Fuchs</p> <p>2 A. Did I ultimately make it? 10:47AM</p> <p>3 Q. Yes. 10:47AM</p> <p>4 A. Yeah. Yeah. I couldn't tell 10:47AM</p> <p>5 you why. 10:47AM</p> <p>6 Q. You can't tell me why sitting 10:47AM</p> <p>7 here? 10:47AM</p> <p>8 A. No. 10:47AM</p> <p>9 Q. Did it have economic 10:47AM</p> <p>10 problems? 10:47AM</p> <p>11 A. No. 10:47AM</p> <p>12 Q. What are your current duties 10:47AM</p> <p>13 and responsibilities as president of 10:47AM</p> <p>14 TufAmerica? 10:47AM</p> <p>15 A. To purchase music catalogs 10:47AM</p> <p>16 and supervise staff, so that they are 10:48AM</p> <p>17 integrated into the body of music that 10:48AM</p> <p>18 we own so that we can promote, earn 10:48AM</p> <p>19 income from them. 10:48AM</p> <p>20 Q. Let me break that down. 10:48AM</p> <p>21 You said purchase music 10:48AM</p> <p>22 catalogs, can you explain what you mean 10:48AM</p> <p>23 by that? 10:48AM</p> <p>24 A. Yeah. In the music business 10:48AM</p> <p>25 there are two thrusts to a company. 10:49AM</p>	<p style="text-align: right;">Page 25</p> <p>1 A. Fuchs</p> <p>2 Q. Which are the three to five 10:50AM</p> <p>3 active? 10:50AM</p> <p>4 A. Trouble Funk, Herman Hitson. 10:50AM</p> <p>5 And there were artists that I ran my 10:50AM</p> <p>6 company as a contemporary music 10:51AM</p> <p>7 operation in the '80s, and I have since 10:51AM</p> <p>8 folded those recordings into the body 10:51AM</p> <p>9 of catalogs that I administer. 10:51AM</p> <p>10 Q. Can you tell me which 10:51AM</p> <p>11 performers or acts in the '80s you're 10:51AM</p> <p>12 referring to? 10:51AM</p> <p>13 A. Freddie Barton. 10:51AM</p> <p>14 Q. Any others? 10:51AM</p> <p>15 A. Ron Brown. 10:51AM</p> <p>16 Q. Anyone else? 10:51AM</p> <p>17 A. That's all that comes to 10:51AM</p> <p>18 mind. 10:52AM</p> <p>19 Q. Now you said that one of your 10:52AM</p> <p>20 duties and responsibilities is to 10:52AM</p> <p>21 supervise staff so that they're 10:52AM</p> <p>22 integrated into the body of music that 10:52AM</p> <p>23 you own. 10:52AM</p> <p>24 Can you tell me what the body 10:52AM</p> <p>25 of music is that TufAmerica owns? 10:52AM</p>

7 (Pages 22 - 25)

Page 146

1 A. Fuchs

2 business, I was in the rap business. 02:28PM

3 It was -- wasn't a big business at that 02:28PM

4 time. 02:28PM

5 Q. Had you ever heard the 02:28PM

6 Beastie Boys perform the music that is 02:28PM

7 the subject of TufAmerica Exhibit 2? 02:29PM

8 A. A record, live? Do you mean 02:29PM

9 something at all? 02:29PM

10 Q. In any way, shape or form. 02:29PM

11 A. I can't remember. I'm sure I 02:29PM

12 heard "Hold it Now, Hit It". 02:29PM

13 Q. Are you familiar with the 02:29PM

14 album Paul's Boutique? 02:29PM

15 A. Yes. 02:29PM

16 Q. When did you first hear 02:29PM

17 Paul's Boutique? 02:29PM

18 A. I don't know if I heard the 02:29PM

19 album, but I was aware that it was 02:29PM

20 released. 02:29PM

21 Q. Are you familiar with the 02:29PM

22 song or the musical recording 02:29PM

23 "Shadrach"? 02:29PM

24 A. Not intimately. 02:29PM

25 Q. You said you are familiar 02:29PM

Page 147

1 A. Fuchs

2 with "Hold it Now, Hit It"? 02:29PM

3 A. Yes. 02:29PM

4 Q. And when did you first hear 02:29PM

5 that? 02:29PM

6 A. When it came out, '83/84. 02:30PM

7 Q. Have you heard it since then? 02:30PM

8 A. Yeah. 02:30PM

9 Q. How many times have you heard 02:30PM

10 it? 02:30PM

11 A. Not sure. 02:30PM

12 Q. Hundreds of times? 02:30PM

13 A. I don't know. A few times. 02:30PM

14 Q. Can you be more precise about 02:30PM

15 what you mean by a few? 02:30PM

16 A. I think it was either on the 02:30PM

17 radio or MTV. It wasn't that I was 02:30PM

18 actively or consciously looking or 02:30PM

19 listening for it. But I'm aware of the 02:30PM

20 song. 02:30PM

21 Q. And it's gotten a lot of play 02:30PM

22 over the years? 02:30PM

23 A. Yes. 02:30PM

24 Q. What about -- 02:30PM

25 A. I'm not with Arbitron, but as 02:30PM

Page 148

1 A. Fuchs

2 a layperson, I would assume it has. 02:30PM

3 Q. What about "Car Thief", have 02:31PM

4 you ever heard "Car Thief"? 02:31PM

5 A. Not by title. 02:31PM

6 Q. With regards to "Hold it Now, 02:31PM

7 Hit It," you said you've heard that. 02:31PM

8 Have you ever heard of the 02:31PM

9 album License to Ill? 02:31PM

10 A. Yes. 02:31PM

11 Q. Do you own a copy of that? 02:31PM

12 A. No. 02:31PM

13 Q. Do you own a copy of Paul's 02:31PM

14 Boutique? 02:31PM

15 A. No. 02:31PM

16 Q. What about "The New Style," 02:31PM

17 have you ever heard that song? 02:31PM

18 A. I've heard of it. I can't 02:31PM

19 remember the way -- how it goes. 02:31PM

20 Q. I would like you to pull out 02:32PM

21 what has been marked as TufAmerica 3, 02:32PM

22 which I think you looked at, and I'm 02:32PM

23 going to ask you a few questions about 02:32PM

24 that as well. 02:32PM

25 MR. TALCOTT: Can we take a 02:32PM

Page 149

1 A. Fuchs

2 break before we get into that? 02:32PM

3 MR. MAX: Yes. Sure. 02:32PM

4 THE VIDEOGRAPHER: The time 02:32PM

5 is 2:32 p.m. We're off the 02:32PM

6 record. 02:32PM

7 (Whereupon, a short recess 02:32PM

8 was taken.) 02:41PM

9 THE VIDEOGRAPHER: The time 02:41PM

10 is 2:42. We're on the record. 02:41PM

11 Q. Mr. Fuchs, if you could pull 02:41PM

12 out TufAmerica 3, I have a couple of 02:41PM

13 questions about that document. 02:41PM

14 Referring you to paragraph 02:41PM

15 13. 02:41PM

16 A. Yes. 02:41PM

17 Q. Is that paragraph 13 02:42PM

18 accurate? 02:42PM

19 A. To the best of my knowledge. 02:42PM

20 Q. Referring you to paragraph 02:42PM

21 19. Is that paragraph accurate? 02:42PM

22 A. Yes. 02:42PM

23 Q. I would like you to pull out 02:42PM

24 what has been marked as TufAmerica 02:43PM

25 Exhibit 9 for identification. The 02:43PM

<p style="text-align: right;">Page 150</p> <p>1 A. Fuchs</p> <p>2 document bearing Bates number UMG 17 02:43PM</p> <p>3 through 47. 02:43PM</p> <p>4 A. Okay. 02:43PM</p> <p>5 Q. First, I would like to ask 02:43PM</p> <p>6 you, have you ever seen this document 02:43PM</p> <p>7 before? 02:43PM</p> <p>8 A. No. 02:43PM</p> <p>9 Q. Prior to sitting here today, 02:43PM</p> <p>10 you've never seen this document? 02:43PM</p> <p>11 A. No. I have not. 02:43PM</p> <p>12 Q. Have you ever heard that 02:43PM</p> <p>13 Island Records, Inc. entered into an 02:43PM</p> <p>14 agreement as of October 11, 1984 with 02:43PM</p> <p>15 T.T.E.D. Records, Inc.? 02:44PM</p> <p>16 A. No. 02:44PM</p> <p>17 Q. So prior to coming here 02:44PM</p> <p>18 today, you were unaware of this 02:44PM</p> <p>19 document? 02:44PM</p> <p>20 A. That's right. I mean -- let 02:44PM</p> <p>21 me clarify that, between the time you 02:44PM</p> <p>22 produced it in the course of this 02:44PM</p> <p>23 lawsuit and it was made -- and it was 02:44PM</p> <p>24 made aware, my counsel was made aware 02:44PM</p> <p>25 of it, at that point I was made aware 02:44PM</p>	<p style="text-align: right;">Page 152</p> <p>1 A. Fuchs</p> <p>2 Q. Referring you to the page 02:46PM</p> <p>3 bearing Bates number UMG 26, do you 02:46PM</p> <p>4 recognize any of the signatures on that 02:46PM</p> <p>5 page? 02:46PM</p> <p>6 A. I recognize the signature of 02:46PM</p> <p>7 Max Kidd. 02:46PM</p> <p>8 Q. How do you recognize that 02:46PM</p> <p>9 signature? 02:46PM</p> <p>10 A. Because it's clear. It looks 02:46PM</p> <p>11 like print. 02:46PM</p> <p>12 Q. Do you know who Max Kidd is? 02:46PM</p> <p>13 A. He was a Washington, D.C. 02:46PM</p> <p>14 music business person. 02:46PM</p> <p>15 Q. Have you ever had any 02:46PM</p> <p>16 involvement with Mr. Kidd? 02:46PM</p> <p>17 A. No. 02:46PM</p> <p>18 Q. Referring you now to another 02:46PM</p> <p>19 document, TufAmerica Exhibit 10. If 02:46PM</p> <p>20 you could pull that out. 02:47PM</p> <p>21 A. Okay. 02:47PM</p> <p>22 Q. Have you ever seen this 02:47PM</p> <p>23 document before? 02:47PM</p> <p>24 A. No. 02:47PM</p> <p>25 Q. This document bears Bates 02:47PM</p>
<p style="text-align: right;">Page 151</p> <p>1 A. Fuchs</p> <p>2 of it. 02:44PM</p> <p>3 Q. Prior to the production of 02:44PM</p> <p>4 this document in this lawsuit, you were 02:44PM</p> <p>5 unaware of this document? 02:44PM</p> <p>6 A. That's right. And I knew 02:44PM</p> <p>7 that they Trouble Funk you know did 02:44PM</p> <p>8 record for Island at one point, but I 02:44PM</p> <p>9 didn't know about this document. 02:44PM</p> <p>10 Q. Do you know whether Mr. 02:44PM</p> <p>11 Gandel had ever seen this document or 02:45PM</p> <p>12 reviewed the document? 02:45PM</p> <p>13 A. No, I don't. 02:45PM</p> <p>14 Q. Do you know whether this 02:45PM</p> <p>15 document, TufAmerica Exhibit 9, was 02:45PM</p> <p>16 reviewed with regards to the due 02:45PM</p> <p>17 diligence for the Publishing 02:45PM</p> <p>18 Administration Agreement, TufAmerica 4, 02:45PM</p> <p>19 and the Master Administration 02:45PM</p> <p>20 Agreement, TufAmerica Exhibit 5? 02:45PM</p> <p>21 A. I don't know if this document 02:45PM</p> <p>22 was reviewed for those purposes. And I 02:45PM</p> <p>23 don't know how -- okay, I mean... 02:45PM</p> <p>24 I don't know that it was 02:45PM</p> <p>25 reviewed for those purposes. 02:45PM</p>	<p style="text-align: right;">Page 153</p> <p>1 A. Fuchs</p> <p>2 number UMG 167 through 169. 02:47PM</p> <p>3 Mr. Fuchs, can you tell me 02:47PM</p> <p>4 what a letter of inducement is? 02:47PM</p> <p>5 MR. TALCOTT: Objection. 02:47PM</p> <p>6 A. Not really. 02:47PM</p> <p>7 Q. Have you ever heard that 02:47PM</p> <p>8 term? 02:47PM</p> <p>9 A. Yes. 02:47PM</p> <p>10 Q. What does that term mean to 02:47PM</p> <p>11 you? 02:47PM</p> <p>12 A. Oh, God. It's something I've 02:47PM</p> <p>13 heard about through the years, but I've 02:47PM</p> <p>14 never personally drafted one. I would 02:47PM</p> <p>15 have to read this. 02:47PM</p> <p>16 Q. So you're not really familiar 02:47PM</p> <p>17 with what a letter of inducement is? 02:47PM</p> <p>18 A. No. 02:47PM</p> <p>19 Q. In terms of the business of 02:48PM</p> <p>20 TufAmerica, Inc., you don't really deal 02:48PM</p> <p>21 with letters of inducement as a general 02:48PM</p> <p>22 term? 02:48PM</p> <p>23 A. I've never given out, drafted 02:48PM</p> <p>24 a letter of inducement for somebody to 02:48PM</p> <p>25 sign. 02:48PM</p>